

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 203 of 1998

Dated: 04.04.2007

Between:

B. Yadagiri

... Petitioner

AND

The Depot Manager, APSRTC,
Falaknuma Depot, Hyderabad.

... Respondent

Counsel for the petitioner : Sri S. Srinivas Sharma

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 203 of 1998

ORDER:-

This writ petition is filed questioning the action of the respondent in deducting certain amounts from the monthly salary and other allowances of the petitioner without passing any order in writing as illegal, arbitrary and unconstitutional.

In the affidavit filed in support of the writ petition, it is specifically averred that the petitioner received a pay slip of monthly salary for the month of November 1997 on 25.12.1997 wherein certain unauthorized deductions were shown. Though the petitioner made a representation on 27.12.2007, the same was not disposed of by the respondent.

This Court while admitting the writ petition on 02.01.1998, gave interim direction in WPMP.No.25 of 1998.

Learned counsel for the petitioner submitted that in pursuance of the said direction, full salary is being paid to the petitioner.

No counter-affidavit is filed to justify the action of the

respondent in withholding certain amounts from the pay scale of the petitioner.

At the hearing, there is no representation for the respondent. In the absence of any justification given by the respondent, I have no hesitation to hold that withholding of the amounts from the petitioner's salary without passing any order is wholly unauthorized and arbitrary.

The writ petition is therefore allowed and the respondent is directed not to withhold any amounts from the salary of the petitioner without initiating appropriate proceedings and passing orders after giving an opportunity to the petitioner, if he so desires. No costs.

C.V. NAGARJUNA REDDY, J

Date: 04.04.2007
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